



**Air Quality
TIER I OPERATING PERMIT**

**State of Idaho
Department of Environmental Quality**

PERMIT No.: T1-060445

FACILITY ID No.: 031-00026

AQCR: 63

CLASS: A

SIC: 5171

ZONE: 12

UTM COORDINATE (km): 277.1 , 4710.3

1. PERMITTEE

Sinclair Burley Products Terminal, Sinclair Transportation Co.

2. PROJECT

Tier I Operating Permit Renewal

3. MAILING ADDRESS

425 E. Highway 81/P.O.Box 30825

CITY

Burley/Salt Lake City

STATE

ID/UT

ZIP

83318/84130

4. FACILITY CONTACT

Dave Cole/Samuel B. Greene

TITLE

Terminal Manager/Corporate
Environmental Engineer

TELEPHONE

(208) 678-7363/(801) 524-2729

5. RESPONSIBLE OFFICIAL

Mark Petersen

TITLE

Vice President

TELEPHONE

(208) 678-7363

6. EXACT PLANT LOCATION

Township Range: T10S, R23E, Section 36 (425 E. Highway 81)

COUNTY

Cassia

7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS

Petroleum Product Storage and Distribution

8. PERMIT AUTHORITY

This Tier I operating permit is issued pursuant to Idaho Code §39-115 and the Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.300 through 386. The permittee shall comply with the terms and conditions of this permit.

This permit incorporates all applicable terms and conditions of prior air quality permits issued by the Idaho Department of Environmental Quality (DEQ) for the permitted source, unless the permittee emits toxic pollutants subject to state-only requirements pursuant to IDAPA 58.01.01.210, and the permittee elects not to incorporate those terms and conditions into this operating permit.

The effective date of this permit is the date of signature by DEQ on the cover page.

SHAWNEE CHEN, P.E, PERMIT WRITER

DEPARTMENT OF ENVIRONMENTAL QUALITY

MIKE SIMON, STATIONARY SOURCE PROGRAM MANAGER

DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE ISSUED:

DRAFT FOR PUBLIC
COMMENT

DATE MODIFIED/AMENDED:

DATE EXPIRES:

Table of Contents

ACRONYMS, UNITS, AND CHEMICAL NOMENCLATURE	3
1. TIER I OPERATING PERMIT SCOPE	4
2. FACILITY-WIDE CONDITIONS	5
3. STORAGE TANKS 301, 304, 311, & 321.....	14
4. STORAGE TANKS 302, 305, & 306.....	16
5. PROVER TANK	18
6. TRANSMIX TANK	20
7. GASOLINE AND DISTILLATE FUEL LOADING RACK.....	22
8. SOIL VAPOR EXTRACTION SYSTEM.....	24
9. INSIGNIFICANT ACTIVITIES	25
10. TIER I OPERATING PERMIT GENERAL PROVISIONS.....	26

Acronyms, Units, and Chemical Nomenclature

AIRS	Aerometric Information Retrieval System
AQCR	Air Quality Control Region
ASTM	American Society of Testing and Materials
CAA	Clean Air Act
DEQ	Idaho Department of Environmental Quality
EPA	U.S. Environmental Protection Agency
HAPs	hazardous air pollutants
IDAPA in	a numbering designation for all administrative rules in Idaho promulgated accordance with the Idaho Administrative Procedures Act
km	kilometers
lb(s)	pounds
MACT	Maximum Achievable Control Technology
NO _x	nitrogen oxides
PM	particulate matter
ppm	parts per million
<i>Rules</i>	IDAPA 58.01.01.et. al. (Rules for the Control of Air Pollution in Idaho)
SIC	Standard Industrial Classification
SVE	Soil Vapor Extraction
Tier I	Tier I operating permit
T/yr	tons per any consecutive 12-month period (1 T = 2000 lbs)
U.S.C.	United States Code
U.S. gal/yr	United States Gallons per any consecutive 12-month period (unique in comparison to the United Kingdom and Canadian gallon)
UTM	Universal Transverse Mercator
VOC	volatile organic compounds

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

1. TIER I OPERATING PERMIT SCOPE

Purpose

- 1.1 This is the renewal of Tier I operating permit (Tier I) in accordance with the Idaho State Implementation Plan control strategy and the Rules.
- 1.2 This Tier I incorporates the following permit:
- Tier II Operating Permit No. T2-060446, pending.
- 1.3 This Tier I renewal supersedes the following permit:
- Tier I No. T1-030413, issued January 13, 2004.

Regulated Sources

- 1.4 Table 1.1 lists all sources of emissions regulated in this Tier I operating permit.

Table 1.1 REGULATED SOURCES

Permit Section	Source Description	Emissions Control(s)
2	Facility-wide	None
3	Floating Roof Storage Tanks 301, 304, 311, and 321	None
4	Fixed Roof Storage Tanks 302, 305, and 306	None
5	Prover Tank	None
6	Transmix Tank	None
7	Gasoline and Distillate Fuel Loading Rack	None

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445

Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

2. FACILITY-WIDE CONDITIONS

The following table contains a summary of requirements that apply generally to emissions units at the facility.

Table 2.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/ Standard Summary	Applicable Regulatory Requirement	Monitoring and Recordkeeping Requirements
2.1	Fugitive emissions	Reasonable control	IDAPA 58.01.01.650-651	2.2, 2.3, 2.4, 2.11
2.5	Odors	Reasonable control	IDAPA 58.01.01.775-776	2.6, 2.11
2.7	Visible emissions	20% opacity for no more than three minutes in any 60-minute period	IDAPA 58.01.01.625	2.8, 2.11
2.9	Excess emissions	Compliance with IDAPA 58.01.02.130-136	IDAPA 58.01.02.130-136	2.9, 2.11
2.14	Fuel oil sulfur content limit	ASTM Grade 1 fuel oil – 0.3% by weight; ASTM Grade 2 fuel oil – 0.5% by weight	IDAPA 58.01.01.728	2.14, 2.11
2.15	Open burning	Compliance with IDAPA 58.01.01.600-617	IDAPA 58.01.01.600-617	2.11, 2.15
2.16	Renovation or demolition	Compliance with 40 CFR 61, Subpart M	40 CFR 61, Subpart M	2.11, 2.16
2.17	Regulated substances	Regulated substances for accident release prevention	40 CFR 68.10(a)	2.17
2.18	Recycling And Emissions Reductions	Compliance with 40 CFR 82, Subpart F	40 CFR 82, Subpart F	2.18
2.19	Air Stagnation Advisory	Air Pollution Emergency Rules	IDAPA 58.01.01.550-562; Tier II Permit No. T2-060446	2.19
2.20	Hazardous air pollutants	National emission standards for bulk gasoline distribution facilities	40 CFR 63, Subpart R	2.20
2.21	Construction, reconstruction, or modification, if applicable	Standards of performance for volatile organic liquid storage vessels	40 CFR 60, Subpart Kb	2.21
2.22	Best demonstrated technology, if applicable	Standards of performance for bulk gasoline terminals	40 CFR 60, Subpart XX	2.22

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

Fugitive Dust

- 2.1 All reasonable precautions shall be taken to prevent PM from becoming airborne in accordance with IDAPA 58.01.01.650-651.
[IDAPA 58.01.01.650-651, 5/1/94]
- 2.2 The permittee shall monitor and maintain records of the frequency and the method(s) used (e.g., water, chemical dust suppressants) to reasonably control fugitive dust emissions.
[IDAPA 58.01.01.322.06, 07, 5/1/94]
- 2.3 The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receipt of a valid complaint. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.
[IDAPA 58.01.01.322.06, 07, 5/1/94]
- 2.4 The permittee shall conduct a monthly facility-wide inspection of potential sources of fugitive dust emissions, during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive dust emissions are effective. If fugitive dust emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each fugitive dust emissions inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive dust emissions, and the date the corrective action was taken.
[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00, Tier II Permit No. T2-060446, PENDING]

Odors

- 2.5 The permittee shall not allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution.
[IDAPA 58.01.01.775-776, 5/1/94]
- 2.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.
[IDAPA 58.01.01.322.06, 07 (state-only), 5/1/94]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

Visible Emissions

- 2.7 The permittee shall not discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, nitrogen oxides, and/or chlorine gas is the only reason for the failure of the emission to comply with the requirements of this section.

[IDAPA 58.01.01.625, 4/5/00]

- 2.8 The permittee shall conduct a quarterly facility-wide inspection of potential sources of visible emissions, during daylight hours and under normal operating conditions. The inspection shall consist of a see/no see evaluation for each potential source of visible emissions. If any visible emissions are present from any point of emission, the permittee shall either take appropriate corrective action as expeditiously as practicable, or perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20% for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in its annual compliance certification and in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each visible emission inspection and each opacity test when conducted. The records shall include, at a minimum, the date and results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.

[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00, Tier II Permit No. T2-060446, PENDING]

Excess Emissions

Excess Emissions - General

- 2.9 The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions. The provisions of IDAPA 58.01.01.130-136 shall govern in the event of conflicts between Permit Condition 2.9 and the regulations of IDAPA 58.01.01.130-136.
- 2.9.1 The person responsible for or in charge of a facility during an excess emissions event shall, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions causing the excess emissions event; to reduce the frequency of occurrence of such events; to minimize the amount by which the emission standard is exceeded; and shall, as provided below or upon request of DEQ, submit a full report of such occurrence, including a statement of all known causes, and of the scheduling and nature of the actions to be taken.

[IDAPA 58.01.01.132, 4/5/00]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

Excess Emissions – Startup, Shutdown, Scheduled Maintenance

- 2.9.2 In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.133.01(a) through (d), including, but not limited to, the following:

[IDAPA 58.01.01.133, 4/5/00]

- A prohibition of any scheduled startup, shutdown, or maintenance resulting in excess emissions shall occur during any period in which an Atmospheric Stagnation Advisory or a Wood Stove Curtailment Advisory has been declared by DEQ.

[IDAPA 58.01.01.133.01.a, 3/20/97]

Notifying DEQ of the excess emissions event as soon as reasonably possible, but no later than two hours prior to, the start of the event, unless the owner or operator demonstrates to DEQ's satisfaction that a shorter advance notice was necessary.

[IDAPA 58.01.01.133.01.b, 4/5/00]

- The owner or operator of a source of excess emissions shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

[IDAPA 58.01.01.133.01.c, 3/20/97]

Excess Emissions – Upset, Breakdown, or Safety Measures

- 2.9.3 In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

[IDAPA 58.01.01.134, 4/5/00]

- 2.9.3.1 For all equipment or emissions units from which excess emissions result during upset or breakdown conditions, or for other situations that may necessitate the implementation of safety measures which cause excess emissions, the facility owner or operator shall comply with the following:

[IDAPA 58.01.01.134.02, 4/5/00]

- The owner or operator shall immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.

[IDAPA 58.01.01.134.02.a, 4/5/00]

- The owner or operator shall notify DEQ of any upset, breakdown, or safety event that results in excess emissions. Such notification shall identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification shall be given as soon as reasonably possible, but no later than 24 hours after the event, unless the owner or operator demonstrates to DEQ's satisfaction that the longer reporting period was necessary.

[IDAPA 58.01.01.134.02.b, 4/5/00]

- The owner or operator shall report and record the information required pursuant to Permit

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.

[IDAPA 58.01.01.134.02.c, 3/20/97]

- 2.9.3.2 During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures, DEQ may require the owner or operator to immediately reduce or cease operation of the equipment or emissions unit causing the period until such time as the condition causing the excess has been corrected or brought under control. Such action by DEQ shall be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the facility owner or operator.

[IDAPA 58.01.01.134.03 4/5/00]

Excess Emissions – Reporting and Recordkeeping

- 2.9.4 A written report for each excess emissions event shall be submitted to DEQ by the owner or operator no later than 15 days after the beginning of such an event. Each report shall contain the information specified in IDAPA 58.01.01.135.02.

[IDAPA 58.01.01.135.01 and 02, 3/20/97]

- 2.9.5 The owner or operator shall maintain excess emissions records at the facility for the most recent five-calendar-year period. The excess emissions records shall be made available to DEQ upon request and shall include the information requested by IDAPA 58.01.01.136.03(a) and (b) as summarized in the following:

[IDAPA 58.01.01.136.01, 02, 3/20/97; IDAPA 58.01.01.136.03, 4/5/00]

- An excess emissions record book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to DEQ pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment; and
- Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, or safety preventative maintenance plans that have been developed by the owner or operator in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

[IDAPA 58.01.01.136.03.a, 4/5/00]

[IDAPA 58.01.01.136.03.b, 3/20/97]

Performance Testing

- 2.10 If performance testing is required, the permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test or shorter time period as provided in a permit, order, consent decree, or by DEQ approval. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests such testing not be performed on weekends or state holidays.

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

All testing shall be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior DEQ approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by DEQ for any testing deviations, DEQ may determine that the testing does not satisfy the testing requirements. Therefore, prior to conducting any performance test, the permittee is encouraged to submit in writing to DEQ, at least 30 days in advance, the following for approval:

- The type of method to be used
- Any extenuating or unusual circumstances regarding the proposed test
- The proposed schedule for conducting and reporting the test

The permittee shall submit a compliance test report for the respective test to DEQ within 30 days following the date in which a compliance test required by this permit is concluded. The compliance test report shall include all process operating data collected during the test period as well as the test results, raw test data, and associated documentation, including any approved test protocol.

The proposed test date(s), test date rescheduling notice(s), compliance test report, and all other correspondence shall be sent to the following address:

Air Quality Permit Compliance
Department of Environmental Quality
Twin Falls Regional Office
1363 Fillmore
Twin Falls, ID 83301
Telephone: (208) 736-2190

Fax: (208) 736-2194

[IDAPA 58.01.01.157, 4/5/00; IDAPA 58.01.01.322.06, 08.a, 09, 5/1/94]

Monitoring and Recordkeeping

- 2.11 The permittee shall maintain sufficient records to assure compliance with all of the terms and conditions of this operating permit. Records of monitoring information shall include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.322.07, 5/1/94]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

Reports and Certifications

- 2.12 All periodic reports and certifications required by this permit shall be submitted to DEQ within 30 days of the end of each specified reporting period. Excess emissions reports and notifications shall be submitted in accordance with IDAPA 58.01.01.130-136. Reports, certifications, and notifications shall be submitted to:

Air Quality Permit Compliance
Department of Environmental Quality
Twin Falls Regional Office
1363 Fillmore
Twin Falls, ID 83301
Telephone: (208) 736-2190 Fax: (208) 736-2194

The periodic compliance certification required by General Provision 21 shall also be submitted within 30 days of the end of the specified reporting period to:

EPA Region 10
Air Operating Permits, OAQ-107
1200 Sixth Ave.
Seattle, WA 98101

[IDAPA 58.01.01.322.08, 11, 5/1/94]

Fuel-Burning Equipment

- 2.13 Reserved.

[IDAPA 58.01.01.676-677, 5/1/94]

Sulfur Content

- 2.14 No person shall sell, distribute, use, or make available for use any distillate fuel oil containing more than the following percentages of sulfur:

- ASTM Grade 1 fuel oil - 0.3% by weight
- ASTM Grade 2 fuel oil - 0.5% by weight
- Residual fuel oil (ASTM Grade 4, 5, and 6) - 1.75% by weight

[Tier II Permit No. T2-060446, PENDING]

- 2.14.1 The permittee shall establish compliance with the limits specified in Permit Condition 2.14 by fulfilling the requirements of either Permit Condition 2.14.1 or 2.14.2 below. The permittee shall, contemporaneously with making a change from one option to the other, record the change in a log located and retained at the permitted facility.

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

2.14.2 The permittee shall determine the sulfur content in percent by weight of each shipment of distillate fuel received by the facility. The reference test method for measuring fuel sulfur content shall be ASTM method, D129-95 Standard Test for Sulfur in Petroleum Products (General Bomb Method), or such comparable and equivalent method approved in accordance with IDAPA 58.01.01.157.02.d, or upon EPA's approval, the standard test method for sulfur in gasoline and diesel fuel by monochromatic wavelength dispersive x-ray fluorescence spectrometry, ASTM D-7039-04 for sulfur content in the 15 to 500 ppm (in weight) range. Test methods and procedures shall comply with IDAPA 58.01.01.157. The results of each test performed shall be recorded in a log. The supporting analysis information shall also be kept onsite; or

2.14.3 The permittee shall obtain documentation of the sulfur content analysis of each shipment of distillate fuel from the refinery that produced the fuel. The documentation shall clearly state the sulfur content in weight percent of sulfur present in the fuel sample and shall reference the method of analysis used to determine the sulfur content in the fuel oil.

[Tier II Permit No. T2-060446, PENDING]

Open Burning

2.15 The permittee shall comply with the Rules for Control of Open Burning, IDAPA 58.01.01.600-616.
[IDAPA 58.01.01.600-617, 3/21/03]

Renovation/Demolition

2.16 The permittee shall comply with all applicable portions of 40 CFR 61, Subpart M when conducting any renovation or demolition activities at the facility.
[40 CFR 61, Subpart M]

Regulated Substances for Accidental Release Prevention

2.17 An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of the Chemical Accident Prevention Provisions at 40 CFR 68 no later than the latest of the following dates:

- Three years after the date on which a regulated substance present above a threshold quantity is first listed under 40 CFR 68.130.
- The date on which a regulated substance is first present above a threshold quantity in a process.

[40 CFR 68.10 (a)]

Recycling and Emissions Reductions

2.18 The permittee shall comply with applicable standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, Recycling and Emissions Reduction.
[40 CFR 82, Subpart F]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

Air Stagnation Advisory Days

- 2.19 The permittee shall comply with the Air Pollution Emergency Rule in accordance with IDAPA 58.01.01.550-562.

[Tier II Permit No. T2-060446, PENDING]

National Emission Standards for Gasoline Distribution Facilities

- 2.20 If the permitted facility is allowed to become a major source as defined by 40 CFR 63, the permittee shall immediately comply with the requirements of 40 CFR 63, Subpart R (*National Emission Standards for Gasoline Distribution Facilities, Bulk Gasoline Terminals, and Pipeline Breakout Stations*).

[40 CFR 63, Subpart R]

Standards of Performance for Volatile Organic Liquid Storage Vessels

- 2.21 If the permitted facility commences construction, reconstruction, or modification of any storage vessel with a capacity greater than or equal to 40 cubic meters that is used to store volatile organic liquids, the permittee shall immediately comply with the requirements of 40 CFR 60, Subpart Kb (*Standards of Performance for Volatile Organic Liquid Storage Vessels [including Petroleum Liquid Storage Vessels] for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984*).

[40 CFR 60, Subpart Kb]

Standards of Performance for Bulk Gasoline Terminals

- 2.22 If the permitted facility commences construction, reconstruction, or modification of the total loading rack that delivers petroleum product into gasoline tank trucks, the permittee shall immediately comply with the requirements of the *Standards of Performance for Bulk Gasoline Terminals* in accordance with 40 CFR 60, Subpart XX.

[40 CFR 60, Subpart XX]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

3. STORAGE TANKS 301, 304, 311, & 321

Summary Description

The following is a narrative description of the storage tanks numbered 301, 304, 311, and 321 that are regulated in this Tier I operating permit. This description is for informational purposes only.

These tanks are allowed to store either gasoline or distillate fuel oil. The yearly throughput and emission rates for these tanks are limited to avoid MACT requirements. These tanks are also referred to as emission units number 1, 2, 3, and 4 respectively in some documents.

Table 3.1 contains only a summary of the requirements that apply to the storage tanks numbered 301, 304, 311, and 321. Specific permit requirements are listed below Table 3.1.

Table 3.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/ Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
3.1	VOC emissions	60.68 T/yr (total) ^a	Tier II Permit No. T2-060446 ^c	3.6, 3.7
3.2	HAP emissions	1.744 T/yr (total) ^a	Tier II Permit No. T2-060446 ^c	3.6, 3.7
3.3	Tank throughput	345,436,000 U.S. gal/yr (total) ^b	Tier II Permit No. T2-060446 ^c	3.6, 3.7
3.4	Fuel type	Gasoline or distillate fuel	Tier II Permit No. T2-060446 ^c	3.6

a. tons per any consecutive 12-month period.

b. U.S. gallons per any consecutive 12-month period

c. Pending permit supersedes all previous Tier II operating permits

Permit Limits / Standard Summary

- 3.1 Total VOC emissions from Storage Tank Nos. 301, 304, 311, and 321, inclusively, shall not exceed 60.68 tons per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 3.2 Total HAP emissions from Storage Tank Nos. 301, 304, 311, and 321, inclusively, shall not exceed 1.744 tons per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 3.3 The total, annual throughput of gasoline petroleum product shall not exceed 345,436,000 U.S. gal per any consecutive 12-month period for Storage Tank Nos. 301, 304, 311, and 321, inclusively.
[Tier II Permit No. T2-060446, PENDING]
- 3.4 Fuel storage in Storage Tank Nos. 301, 304, 311, and 321 shall be limited to gasoline or distillate fuel.
[Tier II Permit No. T2-060446, PENDING]
- 3.5 The permittee shall maintain and operate equipment to monitor the fuel throughput for Storage Tank Nos. 301, 304, 311, and 321.
[Tier II Permit No. T2-060446, PENDING]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

Monitoring & Recordkeeping Requirements

- 3.6 The permittee shall monitor and record the type of petroleum product (i.e., gasoline or distillate fuel) stored in Storage Tank Nos. 301, 304, 311, and 321 on a monthly basis. Monitoring and recordkeeping shall comply with Permit Condition 2.11.

[Tier II Permit No. T2-060446, PENDING]

- 3.7 The permittee shall monitor and record the throughput of petroleum product stored in Storage Tank Nos. 301, 304, 311, and 321, in units of U.S. gallons. This information is to be compiled on a monthly basis to establish compliance with the 12-month rolling throughput limitation. Monitoring and recordkeeping of product type and throughput shall constitute demonstration of compliance with the applicable annual VOC and HAP emission limits. Monitoring and recordkeeping shall comply with Permit Condition 2.11.

[Tier II Permit No. T2-060446, PENDING]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

4. STORAGE TANKS 302, 305, & 306

Summary Description

The following is a narrative description of the storage tanks numbered 302, 305, and 306 that are regulated in this Tier I permit. This description is for informational purposes only.

These tanks are only allowed to store distillate fuel. The yearly throughput and emission rates for these tanks are limited to avoid MACT requirements. These tanks are also referred to as emission units number 5, 6, and 7 respectively in some documents.

Table 4.1 contains only a summary of the requirements that apply to the storage tanks numbered 302, 305, and 306. Specific permit requirements are listed below Table 4.1.

Table 4.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/ Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
4.1	VOC emissions	1.17 T/yr (total) ^a	Tier II Permit No. T2-060446 ^c	4.6, 4.7
4.2	HAP emissions	0.039 T/yr (total) ^a	Tier II Permit No. T2-060446 ^c	4.6, 4.7
4.3	Tank throughput	466,798,500 U.S. gal/yr (total) ^b	Tier II Permit No. T2-060446 ^c	4.6, 4.7
4.4	Fuel type	Distillate fuel	Tier II Permit No. T2-060446 ^c	4.6

a. tons per any consecutive 12-month period.

b. U.S. gallons per any consecutive 12-month period

c. Pending permit supersedes all previous Tier II operating permits

Permit Limits / Standard Summary

- 4.1 Total VOC emissions from Storage Tank Nos. 302, 305, and 306, inclusively, shall not exceed 1.17 tons per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 4.2 Total HAP emissions from Storage Tank Nos. 302, 305, and 306, inclusively, shall not exceed 0.039 tons per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 4.3 The total, annual throughput of distillate fuel in Storage Tank Nos. 302, 305, or 306, inclusively, shall not exceed 466,798,500 U.S. gal per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 4.4 Fuel storage in Storage Tank Nos. 302, 305, and 306 shall be limited to distillate fuel, exclusively.
[Tier II Permit No. T2-060446, PENDING]
- 4.5 The permittee shall maintain and operate equipment to monitor the fuel throughput of each storage tank.
[Tier II Permit No. T2-060446, PENDING]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

Monitoring & Recordkeeping Requirements

- 4.6 The permittee shall monitor and record the type of petroleum product (distillate fuel) stored in Storage Tank Nos. 302, 305, and 306 on a monthly basis. Monitoring and recordkeeping shall comply with Permit Condition 2.11.
- [IDAPA 58.01.01.322.06, 07, 5/1/94]**
- 4.7 The permittee shall monitor and record the monthly throughput of each tank in units of U.S. gallons. This information is to be compiled on a monthly basis to establish compliance with the 12-month rolling throughput limitation. Monitoring and recordkeeping of product type and throughput shall constitute demonstration of compliance with the applicable annual VOC and HAP emission limits. Monitoring and recordkeeping shall comply with Permit Condition 2.11.
- [Tier II Permit No. T2-060446, PENDING]**

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

5. PROVER TANK

Summary Description

The following is a narrative description of the Prover Tank that is regulated in this Tier I permit. This description is for informational purposes only.

This tank is only allowed to store diesel or gasoline. The yearly throughput and emission rates for this tank are limited to avoid MACT requirements. This tank is also referred to as emission unit No. 9 in some documents.

Table 5.1 contains only a summary of the requirements that apply to the Prover Tank. Specific permit requirements are listed below Table 5.1.

Table 5.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/ Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
5.1	VOC emissions	0.26 T/yr ^a	Tier II Permit No. T2-030419 ^c	5.6, 5.7
5.2	HAP emissions	0.007 T/yr ^a	Tier II Permit No. T2-030419 ^c	5.6, 5.7
5.3	Tank throughput	220,200 U.S. gal/yr ^b	Tier II Permit No. T2-030419 ^c	5.6, 5.7
5.4	Fuel type	Gasoline or Distillate Fuel	Tier II Permit No. T2-030419 ^c	5.6

- a. tons per any consecutive 12-month period.
- b. U.S. gallons per any consecutive 12-month period
- c. Pending permit supersedes all previous Tier II operating permits

Permit Limits / Standard Summary

- 5.1 Volatile organic compound emissions from the Prover Tank shall not exceed 0.26 tons per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 5.2 Hazardous air pollutant emissions from the Prover Tank shall not exceed 0.007 tons per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 5.3 The throughput of petroleum products in the Prover Tank shall not exceed 220,200 U.S. gal per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 5.4 Fuel storage in the Prover Tank shall be limited to gasoline or distillate fuel.
[Tier II Permit No. T2-060446, PENDING]
- 5.5 The permittee shall maintain and operate equipment to monitor the fuel throughput for the Prover Tank.
[Tier II Permit No. T2-060446, PENDING]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

Monitoring & Recordkeeping Requirements

- 5.6 The permittee shall monitor and record the type of petroleum product (i.e., gasoline or distillate fuel) stored in the Prover Tank. Monitoring and recordkeeping shall comply with Permit Condition 2.11
[Tier II Permit No. T2-060446, PENDING]
- 5.7 The permittee shall monitor and record the monthly throughput of petroleum product stored in the Prover Tank in units of U.S. gallons. This information is to be compiled on a monthly basis to establish compliance with the 12-month rolling throughput limitation. Monitoring and recordkeeping of product type and throughput shall constitute demonstration of compliance with the applicable annual VOC and HAP emission limits. Monitoring and recordkeeping shall comply with Permit Condition 2.11.
[Tier II Permit No. T2-060446, PENDING]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

6. TRANSMIX TANK

Summary Description

The following is a narrative description of the Transmix Tank that is regulated in this Tier I permit. This description is for informational purposes only.

This tank is used to store off-spec products, residual products from other storage tanks, water contaminated with petroleum, or other non-commercial products. The yearly throughput and emission rates for this tank are limited to avoid MACT requirements.

Table 6.1 contains only a summary of the requirements that apply to the Prover Tank. Specific permit requirements are listed below Table 6.1.

TABLE 6.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/ Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
6.1	VOC emissions	0.27 T/yr ^a	Tier II Permit No. T2-060446 ^c	6.6, 6.7
6.2	HAP emissions	0.007 T/yr ^a	Tier II Permit No. T2-060446 ^c	6.6, 6.7
6.3	Tank throughput	38,080 U.S. gal/yr ^b	Tier II Permit No. T2-060446 ^c	6.6, 6.7
6.4	Fuel type	Refer to Permit Condition 6.4	Tier II Permit No. T2-060446 ^c	6.6

a. tons per any consecutive 12-month period.

b. U.S. gallons per any consecutive 12-month period

c. Pending permit supersedes all previous Tier II operating permits

Permit Limits / Standard Summary

- 6.1 Volatile organic compound emissions from the Transmix Tank shall not exceed 0.27 tons per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 6.2 Hazardous air pollutant emissions from the Transmix Tank shall not exceed 0.007 tons per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 6.3 The throughput of petroleum products in the Transmix Tank shall not exceed 38,080 U.S. gal per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 6.4 Fuel storage in the Transmix Tank shall be limited to off-spec products, residual products from other storage tanks, water contaminated with petroleum, and/or other non-commercial products.
[Tier II Permit No. T2-060446, PENDING]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

- 6.5 The permittee shall maintain and operate equipment to monitor the fuel throughput for the Transmix Tank.

[Tier II Permit No. T2-060446, PENDING]

Monitoring & Recordkeeping Requirements

- 6.6 The permittee shall monitor and record the type of petroleum product stored in the Transmix Tank. Monitoring and recordkeeping shall comply with Permit Condition 2.11.

[Tier II Permit No. T2-060446, PENDING]

- 6.7 The permittee shall monitor and record the monthly throughput of petroleum product stored in the Transmix Tank in units of U.S. gallons. This information is to be compiled on a monthly basis to establish compliance with the 12-month rolling throughput limitation. Monitoring and recordkeeping of product type and throughput shall constitute demonstration of compliance with the applicable annual VOC and HAP emission limits. Monitoring and recordkeeping shall comply with Permit Condition 2.11.

[Tier II Permit No. T2-060446, PENDING]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

7. GASOLINE AND DISTILLATE FUEL LOADING RACK

Summary Description

The following is a narrative description of the loading rack that is regulated in this Tier I permit. This description is for informational purposes only.

The loading rack is only allowed to distribute distillate fuel or gasoline. The yearly throughput and emission rates for the loading rack are limited to avoid MACT requirements. The loading rack is also referred to as emissions unit No. 10 in some documents.

Table 7.1 contains only a summary of the requirements that apply to the loading rack. Specific permit requirements are listed below Table 7.1.

Table 7.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/ Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
7.1	VOC emissions	360.9 T/yr ^a	Tier II Permit No. T2-060446 ^c	7.6, 7.7
7.2	HAP emissions	9.53 T/yr ^a	Tier II Permit No. T2-060446 ^c	7.6, 7.7
7.3	Throughput	Gasoline: 107,310,000 U.S. gal/yr ^b Diesel: 462,996,000 U.S. gal/yr ^b	Tier II Permit No. T2-060446 ^c	7.6, 7.7
7.4	Fuel type	Gasoline or distillate fuel	Tier II Permit No. T2-060446 ^c	7.6

- a. tons per any consecutive 12-month period.
- b. U.S. gallons per any consecutive 12-month period
- c. Pending permit supersedes all previous Tier II operating permits

Permit Limits / Standard Summary

- 7.1 Volatile organic compound emissions from the loading rack shall not exceed 360.9 tons per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 7.2 Hazardous air pollutant emissions from the loading rack shall not exceed 9.53 tons per any consecutive 12-month period.
[Tier II Permit No. T2-060446, PENDING]
- 7.3 The fuel throughput of the loading rack shall not exceed the following:
- Gasoline - 107,310,000 U.S. gallons per any consecutive 12-month period;
 - Distillate fuel - 462,996,000 U.S. gallons per any consecutive 12-month period.
- [Tier II Permit No. T2-060446, PENDING]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

7.4 The loading rack shall be limited to distributing gasoline or distillate fuel.
[Tier II Permit No. T2-060446, PENDING]

7.5 The permittee shall maintain and operate equipment to monitor the fuel throughput for the loading rack.
[Tier II Permit No. T2-060446, PENDING]

Monitoring & Recordkeeping Requirements

7.6 The permittee shall monitor and record the type of petroleum product (i.e., gasoline or distillate fuel) distributed by the loading rack. Monitoring and recordkeeping shall comply with Permit Condition 2.11.
[Tier II Permit No. T2-060446, PENDING]

7.7 The permittee shall monitor and record the monthly throughput of petroleum product distributed by the loading rack in units of U.S. gallons. This information is to be compiled on a monthly basis to establish compliance with the 12-month rolling throughput limitation. Monitoring and recordkeeping of product type and throughput shall constitute demonstration of compliance with the applicable annual VOC and HAP emission limits. Monitoring and recordkeeping shall comply with Permit Condition 2.11.
[Tier II Permit No. T2-060446, PENDING]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

8. SOIL VAPOR EXTRACTION SYSTEM

The Soil Vapor Extraction (SVE) system was installed to remove hydrocarbons from contaminated soil at various locations by the facility. The SVE system was installed under a Permit to Construct Exemption granted by the Division on February 18, 2004 (revised on October 14, 2004).

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

9. INSIGNIFICANT ACTIVITIES

Activities and emissions units identified as insignificant under IDAPA 58.01.01.317.01(b) are listed in the Tier I permit to qualify for a permit shield.

Table 9.1 INSIGNIFICANT ACTIVITIES

Description	Insignificant Activities
	IDAPA 58.01.01.317.01(b)(i) Citation
Petroleum product additives tanks and handling	(3), [3/23/98]
Petroleum product sampling	(1), [3/3/95]
Maintenance activities	(30), [3/23/98]

- 9.1 There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in the Facility-wide Permit Conditions.

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

10. TIER I OPERATING PERMIT GENERAL PROVISIONS

General Compliance

1. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.
[IDAPA 58.01.01.322.15.a, 5/1/94; 40 CFR 70.6(a)(6)(i)]
2. It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.
[IDAPA 58.01.01.322.15.b, 5/1/94; 40 CFR 70.6(a)(6)(ii)]
3. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.
[IDAPA 58.01.01.315.01, 5/1/94; 40 CFR 70.5(b)]

Reopening

4. This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.
[IDAPA 58.01.01.322.15.c, 5/1/94; IDAPA 58.01.01.386, 3/19/99; 40 CFR 70.7(f)(1), (2); 40 CFR 70.6(a)(6)(iii)]
5. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[IDAPA 58.01.01.322.15.d, 5/1/94; 40 CFR 70.6(a)(6)(iii)]

Property Rights

6. This permit does not convey any property rights of any sort, or any exclusive privilege.
[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(iv)]

Information Requests

7. The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
[Idaho Code §39-108; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

8. Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §9-342A and applicable implementing regulations including IDAPA 58.01.01.128.
[IDAPA 58.01.01.322.15.g, 5/1/94; IDAPA 58.01.01.128, 4/5/00; 40 CFR 70.6(a)(6)(v)]

Severability

9. The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.
[IDAPA 58.01.01.322.15.h, 5/1/94; 40 CFR 70.6(a)(5)]

Changes Requiring Permit Revision or Notice

10. The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under IDAPA 58.01.01.213, or complying with IDAPA 58.01.01.220 through 223. The permittee shall comply with IDAPA 58.01.01.380 through 386 as applicable.
[IDAPA 58.01.01.200-223, 4/6/05; IDAPA 58.01.01.322.15.i, 3/19/99; IDAPA 58.01.01.380-386, 7/1/02; 40 CFR 70.4(b)(12), (14), (15), and 70.7(d), (e)]
11. Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the CAA, 42 U.S.C. Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 U.S.C. Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01.383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. IDAPA 58.01.01.502(b)(10) changes are authorized in accordance with IDAPA 58.01.01.384. Off-permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.
[IDAPA 58.01.01.381-385, 7/1/02; IDAPA 58.01.01.209.05, 4/5/00; 40 CFR 70.4(b)(14) and (15)]

Federal and State Enforceability

12. Unless specifically identified as a “State-only” provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source’s potential to emit, are enforceable: (i) by DEQ in accordance with state law; and (ii) by the United States or any other person in accordance with federal law.
[IDAPA 58.01.01.322.15.j, 5/1/94; 40 CFR 70.6(b)(1) and (2)]
13. Provisions specifically identified as a “State-only” provision are enforceable only in accordance with state law. “State-only” provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.
[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/98]

Inspection and Entry

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

14. Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of DEQ to do the following:
- Enter upon the permittee's premises where a Tier I source is located or emissions related activity is conducted, or where records are kept under conditions of this permit;
 - Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
 - Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.i, 3/19/99; 40 CFR 70.6(c)(2)]

New Requirements During Permit Term

15. The permittee shall comply with applicable requirements that become effective during the permit term on a timely basis.

[IDAPA 58.01.01.322.10, 4/6/05; IDAPA 58.01.01.314.10.a.ii, 5/1/94;
40 CFR 70.6(c)(3) citing 70.5(c)(8)]

Fees

16. The owner or operator of a Tier I source shall pay annual registration fees to DEQ in accordance with IDAPA 58.01.01.387 through IDAPA 58.01.01.397.

[IDAPA 58.01.01.387, 4/2/03; 40 CFR 70.6(a)(7)]

Certification

17. All documents submitted to DEQ shall be certified in accordance with IDAPA 58.01.01.123 and comply with IDAPA 58.01.01.124.

[IDAPA 58.01.01.322.15.o, 5/1/94; 40 CFR 70.6(a)(3)(iii)(A); 40 CFR 70.5(d)]

Renewal

18. a. The owner or operator of a Tier I source shall submit an application to DEQ for a renewal of this permit at least six months before, but no earlier than 18 months before, the expiration date of this operating permit. To ensure that the term of the operating permit does not expire before the permit is renewed, the owner or operator is encouraged to submit a renewal application nine months prior to the date of expiration.

[IDAPA 58.01.01.313.03, 4/5/00; 40 CFR 70.5(a)(1)(iii)]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

- b. If a timely and complete application for a Tier I operating permit renewal is submitted, but DEQ fails to issue or deny the renewal permit before the end of the term of this permit, then all the terms and conditions of this permit including any permit shield that may have been granted pursuant to IDAPA 58.01.01.325 shall remain in effect until the renewal permit has been issued or denied.
[IDAPA 58.01.01.322.15.p, 5/1/94; 40 CFR 70.7(b)]

Permit Shield

19. Compliance with the terms and conditions of the Tier I operating permit, including those applicable to all alternative operating scenarios and trading scenarios, shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:
- a. Such applicable requirements are included and are specifically identified in the Tier I operating permit; or
 - i. DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.
 - b. The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).
 - c. Nothing in this permit shall alter or affect the following:
 - i. Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;
 - ii. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - iii. The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and
 - iv. The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.

**[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 4/5/00;
 IDAPA 58.01.01.322.15.m, 325.01, 5/1/94; IDAPA 58.01.01.325.02, 3/19/99;
 IDAPA 58.01.01.381.04, 382.04, 383.05, 384.03, 385.03, 3/19/99; 40 CFR 70.6(f)]**

Compliance Schedule and Progress Reports

20. a. For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.
- b. For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.
- c. For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

- d. For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.
[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.9, 5/1/94; IDAPA 58.01.01.314.10, 4/5/00; 40 CFR 70.6(c)(3) and (4)]

Periodic Compliance Certification

21. The permittee shall submit compliance certifications during the term of the permit for each emissions unit to DEQ and the EPA as follows:
- a. The compliance certifications for all emissions units shall be submitted annually from **DATE TO DATE** or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ.
 - b. The initial compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit including emissions limitations, standards, and work practices;
 - c. The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):
 - i. The identification of each term or condition of the Tier I operating permit that is the basis of the certification;
 - ii. The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required by this Tier I operating permit. If necessary, the owner or operator shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the CAA which prohibits knowingly making a false certification or omitting material information;
 - iii. The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in Paragraph 21.c.ii above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred.
 - iv. Such other facts as DEQ may require to determine the compliance status of the source.
 - d. All original compliance certifications shall be submitted to DEQ and a copy of all compliance certifications shall be submitted to the EPA.
[IDAPA 58.01.01.322.11, 4/6/05; 40 CFR 70.6(c)(5)(iii) as amended, 62 Fed. Reg. 54900, 54946 (10/22/97); 40 CFR 70.6(c)(5)(iv)]

False Statements

22. No person shall knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit, or any applicable rule or order in force pursuant thereto.
[IDAPA 58.01.01.125, 3/23/98]

AIR QUALITY TIER 1 OPERATING PERMIT NUMBER: T1-060445		
Permittee:	Sinclair Burley Products Terminal, Sinclair Transportation Co.	Facility ID No. 031-00026
Location:	Burley, Idaho	

No Tampering

23. No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.126, 3/23/98]

Semiannual Monitoring Reports

24. In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six months. The permittee's semiannual reporting periods shall be from [INSERT MONTH & DAY] to [INSERT MONTH & DAY] and [INSERT MONTH & DAY] to [INSERT MONTH & DAY]. All instances of deviations from this operating permit's requirements must be clearly identified in the report. The semiannual reports shall be submitted to DEQ within 30 days of the end of the specified reporting period.

[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.322.08.c, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

Reporting Deviations and Excess Emissions

25. The permittee shall promptly report all deviations from permit requirements including upset conditions, their probable cause, and any corrective actions or preventive measures taken. For excess emissions, the report shall be made in accordance with IDAPA 58.01.01.130-136. For all other deviations, the report shall be made in accordance with IDAPA 58.01.01.322.08.c, unless otherwise specified in this permit.

[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.135, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

Permit Revision Not Required

26. No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.

[IDAPA 58.01.01.322.05.b, 4/5/00; 40 CFR 70.6(a)(8)]

Emergency

27. In accordance with IDAPA 58.01.01.332, an "emergency" as defined in IDAPA 58.01.01.008, constitutes an affirmative defense to an action brought for noncompliance with such technology-based emissions limitation if the conditions of IDAPA 58.01.01.332.02 are met.

[IDAPA 58.01.01.332.01, 4/5/00; 40 CFR 70.6(g)]